

AMENDMENTS TO THE DRAWINGS:

Applicants submit herewith one (1) sheet of new drawings, including FIG. 9C. The amendments to the drawings are as follows:

Reference numeral 224 has been changed to 244 to bring the FIGURE into accord with the specification. No new matter has been added to the specification by way of this amendment.

REMARKS

In the Advisory action mailed May 23, 2006, the Examiner indicated that claim 19 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims. Applicant appreciates the indication of allowable subject matter.

Also in the Advisory action mailed May 23, 2006, the Examiner maintained his rejection of claims 21 and 34. He also withdrew claims 7-9, 11-18, 26-30 and 35 from consideration as being directed to a non-elected species.

With regard to the rejection of claim 21, Applicant has amended claim 21 so that it now depends from claim 19. Accordingly, claim 21 is in condition for allowance.

With regard to claim 34, Applicant submits that the flanged lip is disclosed in FIGS. 10A-10C and 11A-11C and that the species disclosed in these figures each read on claim 32, from which claim 34 depends. Moreover, Applicant submits that claim 34 is generic to all species disclosed in the application, support for which is presented below. Accordingly, Applicant submits that claim 34 is allowable under 37 C.F.R. § 1.141 as being written in dependent form or otherwise including all of the limitations of an allowed generic claim.

Applicant's representative and the Examiner had a telephonic interview and have exchanged e-mails discussing the election of species. No agreement was reached. The Examiner indicated that it would be best for Applicant to submit a response where he recopies the independent claims as pending in the application and provides support from the specification and the figures in the claims with regard to how each independent claim reads on each species.

Applicant has provided below each independent claim and support from the specification and the figures as to how the independent claim reads on the separate species that the Examiner found in the Election Requirement dated July 19, 2005. Only the species in FIGS. 9A-9E, 10A-10C, 11A-11C and 12A-12C are provided below. This is not to be taken as an admission that the claims are limited to only the embodiments disclosed in the specification.

With regard to the species illustrated in FIGS. 13A-13B, Applicant's specification indicates that the "bore adjusting components C similar to those described above (i.e., one-way locking push nut 22, slide-on expansion tube 20 and screw-on expansion tube adapter 18) can also attach to the adjustable barrel plug assemblies described above." See pg. 45, lines 22-27. Moreover, FIG. 13A includes the reference numeral 224, which is the extension rod assembly discussed with regard to FIGS. 9A-9E, as well as reference numerals 210, 212, 214 and 216, which were also described with regard to FIGS. 9A-9E. Accordingly, FIGS. 13A-13B simply introduces an additional element, i.e. the bore adjusting components, to the species disclosed in FIGS. 9A-9E.

With regard to the species illustrated in FIGS. 14A-14B, Applicant's specification indicates that "each of the abovementioned barrel plug assemblies can include a flexible joint 322. In the embodiment depicted, the flexible joint 322 comprises a spring that fits between the rear compression base 216 and the tubular plug extension 232. As seen, the flexible joint 322 is received in a female receptacle on the rear compression base 216 and the tubular plug extension 232. In alternative embodiments, the flexible joint can fit elsewhere on and in alternative manners to the assembly. The flexible joint protects the barrel plug assembly from being bent when not installed in a gun." See pg. 45, line 28 – pg. 46, line 5. Accordingly, FIGS. 14A-14B simply introduces an additional element, i.e. the flexible joint, to the species disclosed in FIGS. 9A-9E.

Species FIGS. 9A-9E

1. A gun safety device comprising:
 - a barrel plug assembly [D, FIG. 9A, pg. 39, lines 9-10] having
 - a first compression member [flanged bolt-retaining plug 212, FIG. 9A, pg. 39, lines 15-16],
 - a second compression member [threaded rear compression base 216, FIG. 9A, pg. 39, lines 18-20],
 - an expansion member [expansion tube 214, FIG. 9A, pg. 39, lines 16-19] sandwiched between the first compression member and the second compression member,
 - a joining member [bolt 210, FIG. 9C, pg. 41, lines 24-25*] operatively linking the first compression member to the second compression member, wherein the joining member is adapted to draw at least one of the compression members towards the other compression member, and
 - an adjustable extension rod assembly [extension rod assembly 224, FIG. 9A, pg. 39, lines 21-22] extending from the second compression member, the adjustable extension rod assembly being configured to adjust the length of the device and including a tubular plug extension [232, FIG 9C, pg. 39, lines 22-24], a rod [sliding extension rod 244, amended FIG. 9C original FIGS. 9B, 9D, 9E , pg. 40, lines 25-26] received in the tubular plug extension such that the rod can move with respect to the tubular plug extension, and an engagement mechanism [sliding expansion tube 242, FIGS. 9B and 9E, pg. 40 lines 12-26**] that selectively engages a surface of the tubular extension to fix the location of the slidable rod in relation to the tubular plug extension.

* Quoted from pg. 40, lines 24-26 – “To adjust the length of the barrel plug assembly D, a bolt 210, which in one embodiment is a male hexagon key bolt similar to the bolt 10 described above, is removed from the assembly.”

Quoted from pg. 11, lines 9-15 – “Accordingly, due to the threaded engagement between the compression base 16 and the bolt 10 and the bushing 10c abutting the substantially normal annular surface created by the two tiered inner diameter of the cylindrical member 12a, the relative rotation of the bolt 10 with respect to the compression base 16 causes the compression base 16 and the flanged bolt-retaining plug 12 to be drawn together thereby longitudinally compressing the expansion tube 14 therebetween.”

** Quoted from pg. 40, lines 15-19 – “The outer diameter of the sliding expansion tube 242 is such that it can freely move within the bore 234 and it can deform such that a friction fit between the inner surface of the bore 234 and the sliding expansion tube can be achieved when a compressive force is exerted on the sliding expansion tube.”

Species FIGS. 10A-10C

1. A gun safety device comprising:
 - a barrel plug assembly having
 - a first compression member [plug 212, FIG. 10A, pg. 42, line 6],
 - a second compression member [rear compression base 216, FIG. 10A, pg. 42, line 7] ,
 - an expansion member [expansion tube 214, FIG. 10A, pg. 42, line 7] sandwiched between the first compression member and the second compression member,
 - a joining member [bolt 210, FIG. 10A, pg. 42, line 6] operatively linking the first compression member to the second compression member, wherein the joining member is adapted to draw at least one of the compression members towards the other compression member, and
 - an adjustable extension rod assembly [224a, FIG. 10A, pg. 42, line 9] extending from the second compression member, the adjustable extension rod assembly being configured to adjust the length of the device and including a tubular plug extension [262, FIG. 10A, pg. 42, line 9-11], a rod [sliding extension rod 272, FIG. 10A, pg. 42, line 25-26] received in the tubular plug extension such that the rod can move with respect to the tubular plug extension, and an engagement mechanism [flanged lip 272b, FIGS. 10B and 10C, pg. 42, line 30*] that selectively engages a surface of the tubular extension to fix the location of the slidable rod in relation to the tubular plug extension.

*Quoted from pg. 43, lines 6-12 – "The sliding extension rod 272 also includes a tapered surface 272d formed around the opening of the threaded bore 272a and the flared lip 272b. The tapered surface 272d cooperates with the tapered portion 268c of the bolt 268 such that when the bolt is tightened into the threaded bore 272a of the sliding extension rod, the tapered portion 268c forces the flanged lip 272b radially outward so that the flanged lip moves into one of the notches 266 and engages the inner surface of the tubular plug extension."

Species FIGS. 11A-11C

1. A gun safety device comprising:
 - a barrel plug assembly having
 - a first compression member **[212, FIG. 11A]**,
 - a second compression member **[216, FIG. 11A]**,
 - an expansion member **[214, FIG. 11A]** sandwiched between the first compression member and the second compression member,
 - a joining member **[210, FIG. 11A]** operatively linking the first compression member to the second compression member, wherein the joining member is adapted to draw at least one of the compression members towards the other compression member, and
 - an adjustable extension rod assembly **[no reference numeral used, see pg. 43, lines 26-27]** extending from the second compression member, the adjustable extension rod assembly being configured to adjust the length of the device and including a tubular plug extension **[262, FIG. 11A*]**, a rod **[sliding extension rod 274, FIG. 11A, pg. 43, lines 29-31]** received in the tubular plug extension such that the rod can move with respect to the tubular plug extension, and an engagement mechanism **[flanged lip 274b, FIGS. 11B and 11C, pg. 43, lines 29-31**]** that selectively engages a surface of the tubular extension to fix the location of the slidable rod in relation to the tubular plug extension.

* Quote from pg. 43, lines 27-29 – “In this embodiment, the tubular plug extension 262 is similar to and can be the same as the tubular plug extension described with reference to FIGS. 10A-10C.”

** Quote from pg. 44, lines 12-14 – “With the flanged lip 274b retracted inwardly, the sliding extension rod 274 can be adjusted. The key 226 can then be removed and the spring 284 biases the sliding wedge plunger 282 towards the inner flange 274d, thus radially biasing the flanged lip 274b into one of the notches 266.”

Species FIGS. 12A-12C

1. A gun safety device comprising:

a barrel plug assembly having

a first compression member [plug 212, FIG. 12A, pg. 44, line 17],

a second compression member [rear compression base 216, FIG. 12A, pg. 44, line 17],

an expansion member [expansion tube 214, FIG. 12A, pg. 44, line 17] sandwiched between the first compression member and the second compression member,

a joining member [bolt 210, FIG. 12A, pg. 44, line 16] operatively linking the first compression member to the second compression member, wherein the joining member is adapted to draw at least one of the compression members towards the other compression member, and

an adjustable extension rod assembly extending from the second compression member, the adjustable extension rod assembly being configured to adjust the length of the device and including a tubular plug extension [plug extension tube 292, FIG. 12A, pg. 44, lines 20-21], a rod [sliding extension rod 298, FIG. 12A, pg. 44, line 28] received in the tubular plug extension such that the rod can move with respect to the tubular plug extension, and an engagement mechanism [ball 308, FIGS. 12A-12C, pg. 44, line 30*] that selectively engages a surface of the tubular extension to fix the location of the slidable rod in relation to the tubular plug extension.

* Quote from pg. 45, lines 8-21 – "The ball 308 is moves on the ramp 306a of the sliding bearing plunger wedge 306. The ball 308 is dimensioned to fit through the alignment opening 298b and partially into, preferably one-quarter of the way into a corresponding opening 296 in the plug extension tube 292. To adjust the length of the barrel plug assembly, the key 226 is inserted into the assembly to bias the sliding bearing plunger wedge 306 towards a distal end of the assembly. ... Releasing the sliding bearing plunger wedge 306 results in the ball 308 traveling on the ramp 306a radially away from the longitudinal axis and towards the opening 298b. The sliding bearing plunger wedge 306 retains the ball 308 in the openings 298b and 296."

Species FIGS. 9A-9E

19. A gun safety device comprising:

a barrel plug assembly **[D, FIG. 9A, pg. 39, lines 9-10]** including an adjustable rod assembly **[extension rod assembly 224, FIG. 9A, pg. 39, lines 21-22]** to adjust the length of the barrel plug assembly and a selectively expandable portion **[expansion tube 214, FIG. 9A, pg. 39, lines 16-19*]** to selectively engage the barrel of an associated gun, wherein the adjustable rod assembly includes a tubular extension **[tubular plug extension 232, FIG 9C, pg. 39, lines 22-24]** having an internal bore **[central bore 234, FIG. 9E, pg. 39, lines 26-27]** and a slidable rod **[sliding extension rod 244, amended FIG. 9C original FIGS. 9B, 9D, 9E , pg. 40, lines 25-26]** received in the internal bore of the tubular extension, the tubular extension and the slidable rod cooperating with one another to allow selective movement of the rod in and out of the bore and to inhibit rotational movement of the rod in the bore **[the guide tab 248 and the guide slot 252, FIG. 9D]**, wherein the adjustable rod assembly includes an engagement mechanism **[sliding expansion tube 242, FIGS. 9B and 9E, pg. 40 lines 12-26]** attached to the slidable rod that selectively engages an inner surface of the tubular extension to fix the location of the slidable rod in relation to the tubular extension.

* Quote from pg. 39, lines 16-18 – “The bolt-retaining plug 212 is attached to an expansion tube 214, which is similar to the expansion tube 14 described above.”

Quote from pg. 11, lines 19-22 – “The longitudinal compression of the expansion tube 14 causes the expansion tube 14 to bulge or radially expand and/or wedge against the inner diameter of the barrel in which it was inserted thereby securing the plug assembly A in the same.”

Species FIGS. 10A-10C

19. A gun safety device comprising:

a barrel plug assembly including an adjustable rod assembly [**adjustable extension rod assembly 224a, FIG. 10A, pg. 42, line 9**] to adjust the length of the barrel plug assembly and a selectively expandable portion [**expansion tube 214, FIG. 10A, pg. 42, line 7**] to selectively engage the barrel of an associated gun, wherein the adjustable rod assembly includes a tubular extension [**tubular plug extension 262, FIG. 10A, pg. 42, line 9-11**] having an internal bore [**central bore 264, FIG. 10C, pg. 42, line 13**] and a slidable rod [**sliding extension rod 272, FIG. 10A, pg. 42, line 25-26**] received in the internal bore of the tubular extension, the tubular extension and the slidable rod cooperating with one another to allow selective movement of the rod in and out of the bore and to inhibit rotational movement of the rod in the bore [**guide tab 276 and guide slot 278, FIG. 10B, pg. 43, lines 13-17**], wherein the adjustable rod assembly includes an engagement mechanism [**flanged lip 272b, FIGS. 10B and 10C, pg. 42, line 30**] attached to the slidable rod that selectively engages an inner surface of the tubular extension to fix the location of the slidable rod in relation to the tubular extension.

Species FIGS. 11A-11C

19. A gun safety device comprising:

a barrel plug assembly including an adjustable rod assembly **[no reference numeral used, see pg. 43, lines 26-27]** to adjust the length of the barrel plug assembly and a selectively expandable portion **[214, FIG. 11A]** to selectively engage the barrel of an associated gun, wherein the adjustable rod assembly includes a tubular extension **[tubular plug extension 262, FIG. 11A*]** having an internal bore **[264, FIG. 11C]** and a slidable rod **[sliding extension rod 274, FIG. 11A, pg. 43, lines 29-31]** received in the internal bore of the tubular extension, the tubular extension and the slidable rod cooperating with one another to allow selective movement of the rod in and out of the bore and to inhibit rotational movement of the rod in the bore **[guide tab 276 and guide slot 278, FIG. 11B]**, wherein the adjustable rod assembly includes an engagement mechanism **[flanged lip 274b, FIGS. 11B and 11C, pg. 43, lines 29-31**]** attached to the slidable rod that selectively engages an inner surface of the tubular extension to fix the location of the slidable rod in relation to the tubular extension.

* Quote from pg. 43, lines 27-29 – “In this embodiment, the tubular plug extension 262 is similar to and can be the same as the tubular plug extension described with reference to FIGS. 10A-10C.”

** Quote from pg. 44, lines 12-14 – “With the flanged lip 274b retracted inwardly, the sliding extension rod 274 can be adjusted. The key 226 can then be removed and the spring 284 biases the sliding wedge plunger 282 towards the inner flange 274d, thus radially biasing the flanged lip 274b into one of the notches 266.”

Species FIGS. 12A-12C

19. A gun safety device comprising:

a barrel plug assembly including an adjustable rod assembly [**plug extension tube 292 and sliding extension rod 298, FIGS. 12A-12C**] to adjust the length of the barrel plug assembly and a selectively expandable portion [**expansion tube 214, FIG. 12A, pg. 44, line 17**] to selectively engage the barrel of an associated gun, wherein the adjustable rod assembly includes a tubular extension [**plug extension tube 292, FIG. 12A, pg. 44, lines 20-21**] having an internal bore [**longitudinal bore 294, FIG. 12C, pg. 44, line 21**] and a slidable rod received in the internal bore of the tubular extension, the tubular extension and the slidable rod [**sliding extension rod 298, FIG. 12A, pg. 44, line 28**] cooperating with one another to allow selective movement of the rod in and out of the bore and to inhibit rotational movement of the rod in the bore [**guide tab 276 and guide slot 278, FIG. 12B, pg. 44, lines 18-19**], wherein the adjustable rod assembly includes an engagement mechanism [**ball 308, FIGS. 12A-12C, pg. 44, line 30***] attached to the slidable rod that selectively engages an inner surface of the tubular extension to fix the location of the slidable rod in relation to the tubular extension.

* Quote from pg. 45, lines 8-21 – “The ball 308 is moves on the ramp 306a of the sliding bearing plunger wedge 306. The ball 308 is dimensioned to fit through the alignment opening 298b and partially into, preferably one-quarter of the way into a corresponding opening 296 in the plug extension tube 292. To adjust the length of the barrel plug assembly, the key 226 is inserted into the assembly to bias the sliding bearing plunger wedge 306 towards a distal end of the assembly. ... Releasing the sliding bearing plunger wedge 306 results in the ball 308 traveling on the ramp 306a radially away from the longitudinal axis and towards the opening 298b. The sliding bearing plunger wedge 306 retains the ball 308 in the openings 298b and 296.”

Species FIGS. 9A-9E

32. A gun safety device comprising:

a barrel plug assembly [D, FIG. 9A, pg. 39, lines 9-10] including an adjustable rod assembly [extension rod assembly 224, FIG. 9A, pg. 39, lines 21-22] to adjust the length of the barrel plug assembly and a first selectively expandable portion [expansion tube 214, FIG. 9A, pg. 39, lines 16-19] configured to selectively engage the barrel of an associated gun, the adjustable rod assembly including a tubular extension [tubular plug extension 232, FIG 9C, pg. 39, lines 22-24] having an internal bore [central bore 234, FIG. 9E, pg. 39, lines 26-27], a slidable rod [sliding extension rod 274, FIG. 11A, pg. 43, lines 29-31] received in the internal bore of the tubular extension and an engagement mechanism [sliding expansion tube 242, FIGS. 9B and 9E, pg. 40 lines 12-26] connected to the rod, the engagement mechanism including a member [sliding expansion tube 242] configured to selectively move radially to selectively engage an inner surface of the tubular extension.

Species FIGS. 10A-10C

32. A gun safety device comprising:

a barrel plug assembly including an adjustable rod assembly **[adjustable extension rod assembly 224a, FIG. 10A, pg. 42, line 9]** to adjust the length of the barrel plug assembly and a first selectively expandable portion **[expansion tube 214, FIG. 10A, pg. 42, line 7]** configured to selectively engage the barrel of an associated gun, the adjustable rod assembly including a tubular extension **[tubular plug extension 262, FIG. 10A, pg. 42, line 9-11]** having an internal bore **[central bore 264, FIG. 10C, pg. 42, line 13]**, a slidable rod **[sliding extension rod 272, FIG. 10A, pg. 42, line 25-26]** received in the internal bore of the tubular extension and an engagement mechanism **[flanged lip 272b, FIGS. 10B and 10C, pg. 42, line 30]** connected to the rod, the engagement mechanism including a member **[flanged lip 272b]** configured to selectively move radially to selectively engage an inner surface of the tubular extension.

Species FIGS. 11A-11C

32. A gun safety device comprising:

a barrel plug assembly including an adjustable rod assembly [no reference numeral used, see pg. 43, lines 26-27] to adjust the length of the barrel plug assembly and a first selectively expandable portion [214, FIG. 11A] configured to selectively engage the barrel of an associated gun, the adjustable rod assembly including a tubular extension [tubular plug extension 262, FIG. 11A] having an internal bore [264, FIG. 11C], a slidable rod [sliding extension rod 274, FIG. 11A, pg. 43, lines 29-31] received in the internal bore of the tubular extension and an engagement mechanism [flanged lip 274b, FIGS. 11B and 11C, pg. 43, lines 29-31] connected to the rod, the engagement mechanism including a member [flanged lip 274b] configured to selectively move radially to selectively engage an inner surface of the tubular extension.

Species FIGS. 12A-12C

32. A gun safety device comprising:

a barrel plug assembly including an adjustable rod assembly [**plug extension tube 292 and sliding extension rod 298, FIGS. 12A-12C**] to adjust the length of the barrel plug assembly and a first selectively expandable portion [**expansion tube 214, FIG. 12A, pg. 44, line 17**] configured to selectively engage the barrel of an associated gun, the adjustable rod assembly including a tubular extension [**plug extension tube 292, FIG. 12A, pg. 44, lines 20-21**] having an internal bore [**longitudinal bore 294, FIG. 12C, pg. 44, line 21**], a slidable rod [**sliding extension rod 298, FIG. 12A, pg. 44, line 28**] received in the internal bore of the tubular extension and an engagement mechanism [**ball 308, FIGS. 12A-12C, pg. 44, line 30**] connected to the rod, the engagement mechanism including a member [**ball 308**] configured to selectively move radially to selectively engage an inner surface of the tubular extension.

CONCLUSION


In view of the arguments presented above, Applicant respectfully submits that each independent claim is generic to all species that the Examiner found in his Election Requirement mailed July 19, 2005.

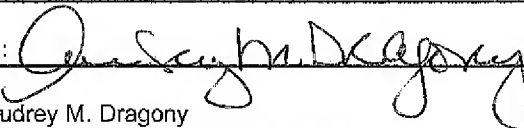
All formal and informal matters having been addressed, it is respectfully submitted that this application is in condition for allowance. If the Examiner is of the view that all of the pending claims of the application are not in clear condition for allowance, it is requested that the Examiner telephone the undersigned for purposes of conducting a telephone interview to resolve any differences. Accordingly, an early notice of allowance is earnestly solicited.

Respectfully submitted,

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July 12, 2006
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